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Attorneys for Defendants
 SHERIFF LAURIE SMITH and
 COUNTY OF SANTA CLARA

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 (San Francisco)

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| TOM SCOCCA, MADISON SOCIETY,) INC., and THE CALGUNS) FOUNDATION, INC.,) Plaintiffs,) v.) SHERIFF LAURIE SMITH (In her) individual and official capacity.),) COUNTY OF SANTA CLARA, and) DOES 1 to 20,) Defendants.) | No. CV11-01318 EMC STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING ON DEFENDANTS' MOTION TO DISMISS |
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On November 28, 2011, the United States Court of Appeals for the Ninth Circuit granted *en banc* review of *Nordyke v. King*, Case No. 07-15763. The *Nordyke* case involves Second Amendment issues that may be relevant to issues raised in the pending motion to dismiss in the above-captioned action. The parties would like additional time to evaluate the issues and make a determination about whether to seek a stay of this matter in light of the pending *en banc* review in *Nordyke*. Accordingly, the parties stipulate to continue the hearing on the pending motion to dismiss to January 6, 2012, at 1:30 p.m.

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1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
2 “conformed” signature (/S/) within this efiled document.

3 MIGUEL MÁRQUEZ
4 County Counsel

5 Dated: December 1, 2011

6 By: /S/
7 MELISSA R. KINIYALOCES
8 Deputy County Counsel

9 Attorneys for Defendants
10 SHERIFF LAURIE SMITH AND
11 COUNTY OF SANTA CLARA

12 LAW OFFICES OF DONALD KILMER

13 Dated: December 1, 2011

14 By: /S/
15 DONALD E.J. KILMER, JR., ESQ.

16 Attorneys for Plaintiffs
17 TOM SCOCCA, MADISON SOCIETY,
18 INC., and THE CALGUNS
19 FOUNDATION, INC.

20 **ORDER**

21 Pursuant to the Stipulation of the parties the Motion to Dismiss is hereby continued to
22 January 6, 2012 at 1:30 p.m.

23 Dated: _____

24 HONORABLE EDWARD M. CHEN
25 United States District Court Judge

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